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APPLICATION NUMBER

FILING/RECEIPT DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

09/894,566

06/28/2001

Masato Imai

9793822-0149

**CONFIRMATION NO. 5465** 

FORMALITIES LETTER

Sonnenschein, Nath & Rosenthal P.O. Box #061080 Wacker Drive Station - Sears Tower Chicago, IL 60606



Date Mailed: 08/20/2001

### NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

#### FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

• Figure(s) FIG: 5E, 5F described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit must be filed within TWO MONTHS of the date of this Notice. The petition fee will be refunded if is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h)) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS <u>TWO MONTH</u> PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b)**. In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

# A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202
PART 2 - COPY TO BE RETURNED WITH RESPONSE

BOX MISSING PARTS

APPLICANT:

Masato Imai, et al.

ATTORNEY DOCKET NO. 09793822-0149

SERIAL NO.

09/894,566

GROUP ART UNIT:

2871

FILING DATE:

June 28, 2001

**EXAMINER**:

INVENTION:

"LIQUID CRYSTAL DISPLAY APPARATUS AND METHOD FOR

ITED STATES PATENT AND TRADEMARK OFFICE

PRODUCING SAME"

## RESPONSE TO NOTICE OF OMITTED ITEMS AND PETITION

Assistant Commissioner of Patents Washington, D.C. 20231

SIR:

In response to the Notice of Omitted Items mailed August 20, 2001, Applicant hereby petitions the Commissioner to accord this application the filing date of 6/28/01. The original application papers filed on 6/28/01 contained the allegedly omitted Figures 5E and 5F as well as references thereto in the specification. The Figures were merely mislabeled due to a typographical error. Attached is a marked-up copy of the original sheet of drawings with such figures.

Unfortunately, due to a typographical error, the figures were labeled 5C and 5D, even though other figures were also so labeled. Attached is a copy of the return receipt postcard on which the USPTO acknowledges receipt of the entire specification and all of the figures.

Simultaneously submitted with this petition is Preliminary Amendment in which the labeling of the two figures is corrected. Further new formal drawings are submitted. These substitute formal drawings consist of one (1) sheet for Figures 5A-5I. In the Preliminary Amendment and in this substitute sheet of formal drawings, the duplicate labels 5C and 5D have been corrected to 5E and 5F. No new matter has been added.



A check in the amount of \$130.00 to cover the petition fee (37 CFR 1.17(h)) is enclosed. However, the Commissioner is authorized to charge any deficiencies or credit any overpayments to Deposit Account No. 19-3140. A duplicate copy of this sheet is enclosed for that purpose.

Respectfully submitted,

(Reg. No. 32,919

David R. Metzger

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Chicago, Illinois 60606-1080

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Attorneys for Applicants

## **CERTIFICATE OF MAILING**

I hereby certify that a true copy of the foregoing RESPONSE TO NOTICE OF OMITTED ITEMS AND PETITION was forwarded to the United States Patent Office via U.S. First Class mail on October 22, 2001.



**DOCKET NO. 9793822-0149** 

DVM/PMT -June 28, 2001 Masato Imai et al 🗘 Applicant: Serial No. hot yet assigned June 28, 2001

Patent Office Mail Room: Will you please affix the Patent Office stamp and return this card to acknowledge receipt of the following documents:

Client: \$01P0863US00 JUL 2 3 2001

Sony Corporation &

APPARATUS AND METHOD FOR PRODUCING

Title: LIQUID CRYSTAL DISP

SAME

ſ. Certificate of Express Mail (1 page)

Transmittal (1 pages - in duplicate)

9. Information Discl Stmt; Form 1449 w/cited references Declaration and POA - executed (5 pages)

3 10. Return postcard 4. Specification (33 pages); 13 Claims (4 pages); Drawings (20 pages - Figs. 1-32) Abstract

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5. Check No. 1140303 in the amount of \$710.00

6. U.S. Assignment (3 pages) - Check No. 1140310 in the amount of \$40.00

Letter 37 CFR 1.41(c)

Certified Copy of Priority Document - P2000-197622 8.

All mailed to the U.S. Patent and Trademark Office by U.S. Express Mail Label No. EL676990377US on June 28, 2001

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